

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

No. 6:20-cv-00514

**John Matthew Bandy,**  
*Plaintiff,*

v.

**Carthage Police Department et al.,**  
*Defendants.*

**ORDER**

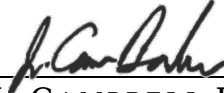
Plaintiff John Matthew Bandy, an inmate of the Texas Department of Criminal Justice, Correctional Institutions Division proceeding pro se, filed this civil action complaining of alleged deprivations of his constitutional rights. The case was referred to United States Magistrate Judge John D. Love.

The magistrate judge issued a report recommending that the motion to dismiss filed by defendant Panola County Jail and Detention Center be granted and the claims against that defendant be dismissed with prejudice. Doc. 43. The magistrate judge also recommended that this defendant's motion for partial summary judgment be denied as moot. *Id.* Plaintiff received copies of magistrate judge's report on September 14, 2021, but no objections have been received. Doc. 45.

When there have been no timely objections to a magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report, and being satisfied that it contains no clear error, the court accepts its findings and recommendation. The motion to dismiss filed by the defendant Panola County Jail and Detention Center (Doc. 31) is granted and the claims against this defendant are dismissed with prejudice. The motion for partial summary judgment filed by this defendant (Doc. 35) is denied as moot. The Panola County Jail and Detention Center is dismissed as a party to this

lawsuit. The dismissal of this defendant shall have no effect upon the remaining claims and defendants in the case.

*So ordered by the court on December 20, 2021.*

A handwritten signature in black ink, appearing to read "J. Campbell Barker", is written over a horizontal line.

J. CAMPBELL BARKER  
United States District Judge